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U.S. Patent Application Serial No. 09/787,781
Reply to Final Office Action dated June 15, 2007**Remarks:**

Applicants have read and considered the Office Action dated December 15, 2006 and the references cited therein. Claims 1-6, 8-14, 23-31 and 36-38 have been amended. New claims 43 and 44 have been added. Claims 2 and 7 have been cancelled without prejudice or disclaimer. Claims 1, 6, 8-14, 23-31 and 36-38 and 43-44 are currently pending. Reconsideration and reexamination are hereby requested.

In the Office Action, claims 1-2, 6-14, 23-31 and 36-38 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office Action stated that the claims only support an excitation field that is an HF electromagnetic field.

Applicants assert that one of ordinary skill in the art would readily understand that other types of electromagnetic fields may be used. However, the claims have been amended to recite an HF electromagnetic field. Applicants assert that the claims are fully supported by the application as filed. Applicants assert that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 1-2, 6-14, 23-31 and 36-38 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants note that the Office Action indicates that there are many errors that may be related to the translation of the application. Applicants have made a number of minor amendments to the grammar of the claims. Applicants assert that no new matter has been added.

In addition, the Office Action stated that claim 1 was vague and indefinite as to what substance it produced, how the electromagnetic field is transformed, what type of substance is being treated, what is the meaning of the receptor substance showing coagulating or anticoagulating activity. Claim 1 has been amended and incorporates features of claim 2. Applicants assert that the claim now recites what substance is produced, how the electromagnetic field is transformed, what type of substance is being treated and has modified the claims so that it

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recites a change in coagulating or anticoagulating inhibition. Applicants assert that claim 1 overcomes the indefiniteness rejections.

Claim 2 was stated to be vague and indefinite as to how the electromagnetic field is changed into an electric signal and what type of electric signal is the result. Claim 2 has been cancelled and features of claim 2 have been incorporated into claim 1 as well as additional details. Applicants assert that sufficient steps and description of the method is recited in claim 1. As claim 2 has been cancelled, Applicants assert that the rejection of claim 2 is moot.

Claim 6 was rejected as being incomplete for omitting essential steps. The Office Action states that the omitted steps are a correlation step that sets forth how applying a signal derived from the transducer receiver to a sensitive biological system relates to testing a substance for coagulating or anticoagulating effect. In addition, the Office Action states that the claim does not set forth what is being tested. The Office Action also states that claim 6 is vague and indefinite as to what substance is produced, how the electromagnetic field is transformed, what types of substance is being treated and what is the meaning of the receptor substance showing coagulating or anticoagulating activity. Finally, the Action states that claim 6 is vague and indefinite in how the electromagnetic field is changed into an electric signal and what type of electric signal is the result. Claim 6 has been amended in a manner similar to claim 1 and is believed to overcome the rejections relating to being vague. Moreover, the type of testing is more clearly set forth. Finally, a correlation step has been added. Applicants assert that the indefiniteness rejection in regard to claim 6 has been overcome and request that the rejection be withdrawn.

Claim 11 was vague and indefinite as to how and what type of signals are produced, how the electromagnetic field is transformed, what type of substance is being treated and what is the meaning of the receptor substance showing coagulating or anticoagulating activity. Claim 11 has

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been amended in a manner similar to claim 1. Applicants assert that the indefiniteness rejection with regard to claim 11 should be withdrawn.

Claim 12 is vague and indefinite as to what is being correlated, how the electromagnetic field is being applied, what type of biological system, how/what is being verified, etc. Claim 12 has been amended in a manner similar to claim 6. Applicants assert that the indefiniteness rejection with regard to claim 12 has been overcome and requests that it be withdrawn.

Claims 1-2, 6-14, 23-31 and 36-38 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Barnes, Hlavka, WO 96/10740, WO 94/17406, WO 96/08200 or XP-002132208. The Office Action indicated that because of the indefiniteness rejections, it is difficult to determine the scope of the invention. Applicants assert that the claims, as amended, clearly recite the invention. Moreover, Applicants assert that the claims, as submitted, recite a method and a signal that are neither shown nor suggested by any of the cited prior art references or any combination thereof. Applicants therefore assert that the rejection under 35 U.S.C. § 102(b) has been overcome and request that the rejection be withdrawn.

A speedy and favorable action in the form of a Notice of Allowance is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

23552

PATENT TRADEMARK

Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: 12/17/07By: 

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GAS/km